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EXAMINER

REDDY, KARUNA P

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Attachment to Advisory Action

Response to Arguments

1. Applicant's arguments filed 4/30/2008 have been fully considered but they are not persuasive. Specifically, applicant argues that (A) one skilled in the art will not refer to documents relating to solids when searching for an agent suitable for liquids because a solid is very different from a liquid in terms of their physical behavior; (B) vinyl chloride disclosed by Di Giaimo is far different from fluorine containing polymer disclosed in Yamaguchi et al and there is no expectation that a stabilizing agent for solid PVC would be useful for an aqueous fluoropolymer dispersion; and (C) example A of Snyder does not use three nonionic surfactants having three different HLB values defined in present claim 9.

With respect to (A), it is the examiner's position that there is no restriction imposed on one skilled in the art to restrict the search, for a compound which traps HCl (as recited in present claims), based on physical state of the composition in which it is used. Furthermore, Case law holds that the selection of a known material based on its suitability for its intended use supports *prima facie* obviousness. *Sinclair & Carroll Co vs. Interchemical Corp.*, 325 US 327, 65 USPQ 297 (1045).

With respect to (B), Di Giaimo is cited only for its teaching that epoxy hydrochlorophyl, such as epoxidized soybean oil, is used to trap HCl (as recited in present claims) that is produced when the polymers are exposed to heat.

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Case law holds that the selection of a known material based on its suitability for its intended use supports *prima facie* obviousness. *Sinclair & Carroll Co vs. Interchemical Corp.*, 325 US 327, 65 USPQ 297 (1045).

With respect to (C), while example of Snyder uses only two surfactants, the cited reference is used for all it teaches. Attention is drawn to column 2, lines 58-67) wherein it is generically taught that desired stability can be achieved by using a blend of different nonionic emulsifiers i.e. it does not restrict the blend to a combination of only two surfactants.

/Karuna P Reddy/
Examiner, Art Unit 1796

/David Wu/
Supervisory Patent Examiner, Art Unit 1796